

REMARKS

Claims 1-8 are pending in the application. Claims 1, 5 and 6 have been amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

Replacement Figs. 1-4 and 8 including the label "Conventional Art" are submitted herewith as requested by the Examiner.

Applicants have amended the title and claims to address the objections raised by the Examiner.

I. REJECTION OF CLAIMS 1-4 AND 6-8 UNDER 35 USC §112, 1st AND 2nd ¶

Claims 1-4 and 6-8 stand rejected under 35 USC §112, first and second paragraphs, as not being enabled by the specification. Applicants respectfully request withdrawal of the rejections for at least the following reasons.

The Examiner notes that the specification enables one skilled in the art to supply an offset based on a phase difference between a main push-pull signal MPP and a sub push-pull signal SPP to compensate for an off-tracking caused by a phase shift of the differential signal. However, the Examiner indicates that the application does not enable an offset based on the phase difference between a main push-pull signal MPP and the differential signal.

In order to clarify claims 1 and 6, applicants have amended the claims to recite more clearly that the phase difference detection relates to detecting a phase difference between the main push-pull signal MPP and the sub push-pull signal SPP. As noted by the Examiner, such language is supported by the present specification. Further, applicants note that such language is consistent with claim 5 which was not rejected on the same grounds.

Accordingly, applicants respectfully request withdrawal of the rejections.

II. REJECTION OF CLAIM 5 UNDER 35 USC §103(a)

Claim 5 stands rejected under 35 USC §103(a) based on *Applicants' Admitted Prior Art (AAPA)* in view of *Katayama* and further in view of *Yamasaki et al.* Applicants respectfully request withdrawal of the rejection for at least the following reasons.

Claim 5, together with claims 1 and 6, has been amended to recite the feature whereby the main beam and the sub-beams are focused onto different tracks of the optical disk to provide the recited main push-pull signal MPP, sub push-pull signal SPP, and differential signal between the main push-pull signal MPP and the sub push-pull signal SPP. Based on a phase difference between the thus obtained main push-pull signal MPP and sub push-pull signal SPP, an offset is applied in a tracking control of the main beam as claimed.

The Examiner relies on *Katayama* as teaching the features of detecting track error based on a phase difference between the main push-pull signal MPP and the sub push-pull signal SPP. However, in *Katayama* a plurality of beam spots are taught to be formed on the same track. Thus, the signals involved in *Katayama* are not those of the main beam and the sub-beams focused onto different tracks of the optical disk as recited in amended claim 5. The optical diffractive grating 13 of *Katayama* has a complicated structure, and it would not have been obvious to modify the grating 13 to allow the three beams to be converged onto the different tracks as recited in claim 5 (and claims 1 and 6).

Thus, those having ordinary skill in the art would not look to the teachings of *Katayama* as a means for providing the combination proposed by the Examiner. The structure and function are different, and therefore the combination non-obvious.

Applicants therefore respectfully request withdrawal of the rejection.

III. CONCLUSION

Accordingly, all claims 1-8 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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